

HOUSE BILL 1049

C7

0lr3056
CF SB 919

By: **Allegany County Delegation**

Introduced and read first time: February 17, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County – Slot Machines for Nonprofit Organizations – Volunteer**
3 **Fire Departments**

4 FOR the purpose of adding Allegany County to the list of counties in which certain
5 nonprofit fraternal, religious, and war veterans' organizations may own and
6 operate a certain number of slot machines under certain circumstances;
7 specifying that in Allegany County, a volunteer fire department may own and
8 operate slot machines; and generally relating to slot machines in Allegany
9 County.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Law
12 Section 12–304
13 Annotated Code of Maryland
14 (2002 Volume and 2009 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 12–304.

19 (a) In this section, “eligible organization” means:

20 (1) a nonprofit organization that:

21 (i) has been located in a county listed in subsection (b) of this
22 section for at least 5 years before the organization applies for a license under
23 subsection (e) of this section; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) is a bona fide:

2 1. fraternal organization;

3 2. religious organization; or

4 3. war veterans' organization; **[or]**

5 (2) a nonprofit organization that has been affiliated with a national
6 fraternal organization for less than 5 years and has been located in a county listed in
7 subsection (b) of this section for at least 50 years before the nonprofit organization
8 applies for a license under subsection (e) of this section; **OR**

9 **(3) IN ALLEGANY COUNTY, A VOLUNTEER FIRE DEPARTMENT.**

10 (b) This section applies in:

11 **(1) ALLEGANY COUNTY;**

12 **[(1)] (2) Caroline County;**

13 **[(2)] (3) Cecil County;**

14 **[(3)] (4) Dorchester County;**

15 **[(4)] (5) Kent County;**

16 **[(5)] (6) Queen Anne's County;**

17 **[(6)] (7) Somerset County;**

18 **[(7)] (8) Talbot County; and**

19 **[(8)] (9) Wicomico County.**

20 (c) (1) In this subsection, a console or set of affixed slot machines is not
21 an individual slot machine.

22 (2) Notwithstanding any other provision of this subtitle, an eligible
23 organization may own and operate a slot machine if the eligible organization:

24 (i) obtains a license under subsection (e) of this section for each
25 slot machine;

26 (ii) owns each slot machine that the eligible organization
27 operates;

- 1 (iii) owns not more than five slot machines;
- 2 (iv) locates and operates its slot machines at its principal
3 meeting hall in the county in which the eligible organization is located;
- 4 (v) does not locate or operate its slot machines in a private
5 commercial facility;
- 6 (vi) uses:
- 7 1. at least one-half of the proceeds from its slot
8 machines for the benefit of a charity; and
- 9 2. the remainder of the proceeds from its slot machines
10 to further the purposes of the eligible organization;
- 11 (vii) does not use any of the proceeds of the slot machine for the
12 financial benefit of an individual; and
- 13 (viii) reports annually under affidavit to the State Comptroller:
- 14 1. the income of each slot machine; and
- 15 2. the disposition of the income from each slot machine.
- 16 (d) An eligible organization may not use or operate a slot machine unless:
- 17 (1) the slot machine is equipped with a tamperproof meter or counter
18 that accurately records gross receipts; and
- 19 (2) the eligible organization keeps an accurate record of the gross
20 receipts and payoffs of the slot machine.
- 21 (e) (1) Before an eligible organization may operate a slot machine under
22 this section, the eligible organization shall obtain a license for the slot machine from
23 the sheriff of the county in which the eligible organization plans to locate the slot
24 machine.
- 25 (2) (i) The county shall:
- 26 1. charge an annual fee of \$50 for each license for a
27 machine; and
- 28 2. issue a license sticker to the applicant.
- 29 (ii) The applicant shall place the sticker on the slot machine.

1 (iii) The proceeds of the annual fee shall be transferred to the
2 general fund of the county.

3 (3) In the application to the sheriff for a license, one of the principal
4 officers of the eligible organization shall certify under affidavit that the organization:

5 (i) is an eligible organization; and

6 (ii) will comply with this section.

7 (f) (1) A principal officer of the eligible organization may not intentionally
8 misrepresent a statement of fact on the application.

9 (2) A person who violates this subsection is guilty of perjury and on
10 conviction is subject to the penalty provided under Title 9, Subtitle 1 of this article.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2010.